

ANDHRA PRADESH POWER GENERATION CORPORATION LIMITED
VIDYUT SOUDHA :: VIJAYAWADA- 520 004

Memo No.CGM(Adm,IS&ERP)/DS(Adm)/AS(Adm)/PO-B/42/2019-1, Dated:12.11.2019

Sub: Estt. – APGENCO – Engineering Services – Sri D Simhachalam, the then ADE(Elecl.) now SE(Elecl.) – Restoration of his seniority in the cadre of EE (Elecl.) and SE(Elecl.) – Reg.

Ref: 1. Memo No.GM(A)/DS(P)/AS(P)/1415/C2/2001-6, Dated:11.09.2001
2. Hon'ble High Court judgment Dated:21.08.2009 in W.P.No.242/2004
3. Memo No.CGM(A)/DS(P)/AS(P)/PO-M/1254/2009, dtd: 02.05.2011
4. Representation Dated:18.02.19 received through proper channel from Sri D Simhachalam, SE/Elecl., O/o.CE/TPC/VS/VJA vide Endt. No.CEE/TPC/AEE(T)/ Estt./ ES/D.No.12/19, Dated:19.02.19.

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In the reference 4th cited, Sri D Simhachalam, the then ADE(Elecl.) now SE (Elecl.) who was not considered for promotion from the cadre of ADE(Elecl.) to DE(Elecl.) in the approved list dated:18.12.2004, on par with his junior Sri S Jagannath, ADE(Elecl.) upon non-fulfilling requisite service condition of 5 years, as on the date of drawl of panel, consequent on proceeding on sanctioned EOL to work abroad as per memo 1st cited, has represented to consider his case for restoration of seniority in the cadre of DE(Elecl.) (now EE(Elecl.) in terms of the verdict of the Hon'ble High Court vide reference 2nd cited.

2. The Hon'ble High Court in the reference 2nd cited vide judgment dated:21.08.2009 has held that; "for all practical purposes, an employee who avails EOL for undertaking employment abroad in terms of B.P.Ms.No.34 is deemed to have continued in the service of the Board, except for the limited service benefits denied to him, such as increment, pay, leave etc., on the grounds, viz.(i)In B.P.Ms.No.34 it was not contemplated that, the EOL availed by an employee for undertaking employment abroad should be deleted and not taken into account for computing the total period of his service, (ii) Clause.2 (ii) puts it beyond doubt by stating that, the absence during the period of EOL would not be construed as a 'break in service'", hence directed to promote the petitioner on par with his junior duly taking into account the period of EOL availed by him under B.P.Ms.No.34, Dated:12.05.97.

3. After careful consideration, in terms of the above Hon'ble High Court directions, the EOL to work abroad period from 04.10.2001 to 04.04.2002, availed by Sri D Simhachalam, SE(Elecl.) while working in the cadre of ADE(Elecl.), as per B.P.(P&G-Per) Ms.No.34, Dated:12.05.1997 (now G.O.O.No.75/GM(A)/2001, Dated:22.05.2001), has been computed as eligible service and included in the list of approved candidates dated:18.12.2004, drawn for promotion of ADEs(Elecl.) as DEs(Elecl.) and in the list of approved candidates dated:13.06.2016 drawn for promotion of DEs(Elecl.) as SEs(Elecl.) respectively, on par with his junior S Jagannath, the then ADE(Elecl.) now SE(Elecl.), by reviewing panels in terms of Reg.8(2)(a) of APSEB SRs Part-II, as adopted by APGENCO, below Sri J Ramesh Muni and above Sri S Jagannath, the then ADEs(Elecl.) now SEs(Elecl.), for the purpose of restoration of seniority only.

4. Accordingly, the seniority of Sri D Simhachalam, the then ADE(Elecl.) now SE(Elecl.) is herewith restored in the cadre of EE(Elecl.) and SE(Elecl.) by placing him above Sri S Jagannath and below Sri J Ramesh Muni, EE(Elecl.) in the seniority list of EEs(Elecl.) communicated vide memo 3rd cited and in the seniority list of SEs(Elecl.) (not yet communicated).

B. SREEDHAR
Managing Director

To

Sri D Simhachalam, SE(Elecl.)(Emp.ID:1019167)
Through: The Chief Engineer/TPC/VS/Vijayawada

Contd.....

Copy to the:

Chief Engineer/ TPC/VS/Vijayawada

PS to MD || SE(Techl.) to MD || SAO to Director (Finance & Commercial)

DEE/Techl. to Director (HR&IR) || (Hydel) || (Thermal) || AEE(Techl) to CGM(Adm,IS&ERP)

ED(Accounts) || (Civil) || All Chief Engineers || FA&CCA (Audit & Trust) ||

All Superintending Engineers || EE(MPP) || Pay Officer

Stock File/Spare.

// FORWARDED :: BY ORDER //

M. V. N. Gnanabalan
PERSONNEL OFFICER